

TOWN OF WESTFORD POLICY ON PESTICIDE USE

Prepared by the Town of Westford
Pesticide Policy Committee

SECTION 1: STATEMENT OF INTENT

The Town of Westford agrees with the U.S. Environmental Protection Agency (EPA) that “all pesticides are toxic to some degree...--especially if these chemicals are overused and carelessly applied... and the commonplace, widespread use of pesticides is both a major environmental problem and a public health issue.”

The Town of Westford recognizes that all citizens, (particularly children and those with compromised health), as well as other inhabitants of our natural environment, have a right to protection from exposure to hazardous chemicals and pesticides in particular.

The Town of Westford recognizes that a balanced and healthy ecosystem is vital to the health of the town and its citizens; and as such is also in need of protection from exposure to hazardous chemicals and pesticides in particular.

The Town of Westford recognizes that it is in the best interest of public health to eliminate where possible and otherwise minimize the use of pesticides on Town-owned land; to encourage and promote the elimination and reduction of the use of pesticides on private property; and to educate the public.

Furthermore, the Town of Westford recognizes that it is in the best interest of public health to manage Town properties through an Integrated Pest Management (IPM) plan that is an ecologically-sound approach to suppressing and eliminating pest populations to keep them from causing health, economic, or aesthetic injury; and to encourage private property owners to manage their property through the use of Organic Pest Management (OPM), a natural, organic approach to turf grass and landscape management without the use of toxic pesticides. (See Addendum 1 for IPM definition and Addendum 2 for OPM definition.)

SECTION 2: PHILOSOPHY/PRINCIPLES

The Town of Westford subscribes to the principal that an IPM approach will provide substantial environmental benefits to water quality, wetland habitat, and human health and safety by eliminating or greatly reducing the need for hazardous pesticides and focusing on preventative site-specific management. The Town of Westford’s approach will rely primarily on mechanical and safe biological controls and techniques to prevent and manage outdoor pest infestation as defined under Section 3. More aggressive treatments are used only as a last resort when there is a threat of rapid loss or when pests fail to succumb to more conservative methods. The long-term objective is to implement environmentally friendly, IPM practices on all Town-owned land.

SECTION 3: DEFINITIONS

For the purpose of this policy, pests and pesticides are defined as follows. **Pests** are and may be known as undesirable plants, insects, fungi, bacteria, rodents, birds and other animals. Common examples in turf grass and the landscape can be, but are not limited to, crabgrass, knotweed, poison ivy, chinch bugs, grubs, and a variety of plant pathogens.

Pesticides are defined by the Massachusetts Department of Food and Agriculture Pesticide Bureau as “substances or mixtures of substances that prevent, destroy, repel, or mitigate pests, or defoliate, desiccate, or regulate plants. Pesticides are poisonous substances that can have an adverse effect on the environment or impair human health...” Herbicides, fungicides, insecticides, miticides, avicides and rodenticides are all considered pesticides.

Under this policy, pesticides classified as known, likely, or probable human carcinogens or probable endocrine disruptors, or those pesticides that meet the criteria for Toxicity Category I or Toxicity Category II, as defined by the EPA in section 156.10 of part 156 of Title 40 of the Code of Federal Regulations are all considered subject to this policy.

For the purpose of this policy, **Town-owned lands** will include all lands, buildings, structures, and roadways owned, operated, and/or maintained by the Town of Westford.

SECTION 4: STATEMENT OF ACTION

Be it known that the Town of Westford hereby adopts a Pesticide Policy which mandates the following:

- That the use and application of registered chemical pesticides, either by Town of Westford employees or by private contractors, will be eliminated where possible and otherwise minimized on all Town-owned lands;
- That natural, organic turf and landscape cultural practices and maintenance shall be the method of choice to understand, prevent, and control potential pest problems;
- That all control products used under the terms of this policy shall be in keeping with, but not limited to, those products on the approved list of NOFA/Mass. (Northeast Organic Farmers' Association/Mass.) and/or the Organic Materials Review Institute of Eugene, Oregon;
- That a volunteer Pesticide Advisory Committee shall be formed (see Section 6);
- That Town of Westford employees who work with turf grass and the landscape receive education and training in natural, organic turf and landscape management (see Section 7);
- That a listing of all Town-owned lands affected by this policy be maintained at the Board of Health and be made available to the public;
- That a registry of all pesticides currently stored on Town-owned premises be compiled (and kept at the Board of Health), with a goal of proper disposal, through a Hazardous Waste Collection program, of all pesticides that will no longer be used;
- That the Town of Westford will co-sponsor and promote natural, organic lawn care practices via public seminars to raise public awareness regarding the benefits of natural organic lawn care to the environment and to public health;
- That the Town of Westford will seek funding for public awareness programs including seminars, workshops, etc.
- That a log of any pesticide use on any Town-owned land subject to this policy will be maintained and made available to the public (see Section 9).

SECTION 5: EXEMPTIONS

All outdoor pest management activities taking place on Town of Westford-owned land shall be subject to this pesticide policy, except as follows:

1. Pesticides otherwise lawfully used for the purpose of maintaining a safe drinking water supply at drinking water wells and treatment plants; wastewater treatment plants; and related collection, distribution, and treatment facilities.

2. Pesticides otherwise lawfully used for agricultural purposes at the Hill Orchard.
3. Pesticides in contained baits or traps for the purpose of rodent control.
4. Pesticides classified by the EPA as exempt materials under Code of Federal Regulations 40 CFR 152.25, or those pesticides of a character not requiring Federal Insecticide Fungicide and Rodenticide Act (FIFRA) regulation.

SECTION 6: PESTICIDE ADVISORY COMMITTEE

In accordance with Section 4 of this policy, a Pesticide Advisory Committee shall act as a “Pest Management Board” to oversee and assist in the implementation of the Policy, to inform the Town and its residents of available training opportunities pertaining to organic methods of pest management, to conduct public outreach and education activities, and to advise the Town of Westford Board of Health of any problems encountered or amendments required to achieve the full and successful implementation of the Policy.

The Pesticide Advisory Committee will seek the participation, advice, and counsel of experts in the fields of organic turf and landscape management and IPM protocol. Broad community participation, including parents, schools, advocates, and local landscaping businesses will be encouraged on a non-voting basis. Voting membership on the Advisory Committee shall be comprised of:

- Board of Health (1 Representative)
- Parks and Recreation Commission (1 Representative)
- Cemetery Commission (1 Representative)
- Board of Water Commissioners (1 Representative)
- Conservation Commission (1 Representative)
- School Committee (1 Representative)
- Citizen (5 Representatives)

It is recommended and preferred that the appointed representative of a Town Board, Commission, or Committee also be a resident of the Town of Westford, when possible.

SECTION 7: TRAINING AND EDUCATION

All Town of Westford personnel involved in the evaluation, approval, or implementation of turf, maintenance, landscape maintenance, and/or outdoor pest control should:

1. receive hands-on training and education in natural, organic cultural and technical methods, and
2. receive specific training on all applicable IPM plans related to their responsibilities.

Town Departments employing those personnel identified above shall encourage and allow those personnel to attend available training opportunities.

SECTION 8: WAIVERS

If a situation warrants the use of pesticides, which would otherwise not be permitted under this policy, the Town of Westford Director of Environmental Services and/or the Board of Health shall have the authority to grant a temporary waiver for a period of thirty days. Notice of the waiver shall be given to the Pesticide Advisory Committee. The waiver may be extended for an additional period not to exceed six months. Nothing in this waiver provision prohibits the Town of Westford from adopting additional waiver resolutions for as long as the condition exists, again not to exceed six months for any individual resolution.

Any waiver granting the use of pesticides on Town land shall require the use of Integrated Pest Management protocol as it pertains to the least toxic material chosen for any given application (see Addendum 1).

The Board of Health shall determine if such a waiver is warranted based on the following criteria:

1. the pest situation poses a threat to human health and/or environmental quality;
2. viable alternatives consistent with this pesticide policy do not exist.

Any Town department using a pesticide under such a waiver must comply with the laws of the Commonwealth of Massachusetts regarding notification to site users and abutters.

SECTION 9: PESTICIDE USE LOG

If any pesticides are applied to Town-owned land, a record of the application will be made in a Pesticide Use Log and kept on file. The Pesticide Use Log will be kept at the office of the town department that is in charge of maintaining the land where the pesticide was applied. The Pesticide Use Log will record the date of application, the specific location of application, the product name and type of each pesticide used, the EPA registration number for each pesticide, and a description of the purpose of the pesticide application. The information in each Pesticide Use Log will be made current at the time of an application.

For applications made on school property, the Pesticide Use Log will be kept at the Main Office of each school. In addition, the Town of Westford recognizes that the schools must comply with the Child Protection Act, Chapter 85 of the Acts of 2000, in its entirety. The requirements of this policy are in addition to all requirements of the Child Protection Act (see Addendum 3).

ADDENDUM 1:

INTEGRATED PEST MANAGEMENT (DEFINED)

Integrated Pest Management (IPM) is an ecologically-sound approach to suppressing and eliminating pest populations to keep them from causing health, economic, or aesthetic injury. IPM utilizes site-specific information about pest biology and behavior, environmental conditions, and the dynamics of human characteristics and activities in dealing with the prevention and control of pests that interfere with the purpose and use of a particular site.

The following steps outline the basic approach used in an IPM program.

- Monitoring and scouting the turf or landscape in question;
- Accurate record-keeping documenting any potential pest problems;
- Evaluation of the site with regard to any injury caused by a pest in question and a determination made on which course of treatment to follow;
- Chosen treatment to be the least damaging to the general environment and one that best preserves the natural ecosystem;
- Chosen treatment to be the most likely to produce long-term reduction in pest control requirements. The effective implementation must be operationally feasible, and must be cost effective in the short and long term.
- Chosen treatment must minimize negative impact to non-target organisms;
- Chosen treatment must be the least disruptive of natural controls available;
- Chosen treatment must be the least hazardous to human health.

ADDENDUM 2:

ORGANIC PEST MANAGEMENT (DEFINED)

Organic Pest Management (OPM) is a problem-solving strategy that prioritizes a natural, organic approach to turf grass and landscape management without the use of toxic pesticides. It mandates the use of natural, organic cultural practices that promote healthy soil and plant life as a preventative measure against the onset of turf and landscape pest problems.

Essential OPM practices include, but are not limited to:

- Regular soil testing;
- Addition of approved soil amendments as necessitated by soil test results, following, but not limited to, the recommendations of NOFA/Mass (Northeast Organic Farmers' Association/Mass) and/or the Organic Material Review Institute of Eugene, OR;
- Selection of plantings using criteria of hardiness; suitability to native conditions; drought; disease and pest-resistance; and ease of maintenance;
- Modification of outdoor management practices to comply with organic horticultural science, including scouting, monitoring, watering, mowing, pruning, proper spacing, and mulching;
- The use of physical controls, including hand-weeding and over-seeding;
- The use of biological controls, including the introduction of natural predators, and enhancement of the environment of a pest's natural enemies;
- Through observation, determining the most effective treatment time, based on pest biology and other variables, such as weather and local conditions, and
- Eliminating pest habitats and conditions supportive of pest population increases.

ADDENDUM 3:

CHILD PROTECTION ACT